

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

JUL 30 2019

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK
BY: *Benge*
DEPUTY CLERK

YUNSONG ZHAO.

Plaintiff,

v.

VIRGINIA POLYTECHNIC
INSTITUTE & STATE
UNIVERSITY, ET AL.

Defendants.

)
) Case No.: 7:18-cv-189
)
)

) By: Michael F. Urbanski
) Chief United States District Judge
)
)
)

ORDER

This matter is before the court on plaintiff Yunsong Zhao's motion, ECF No. 105, brought pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, to voluntarily dismiss, with prejudice, the remaining cause of action (Count II) in the Second Amended Complaint against defendant Rohsaan Settle, in his official capacity. Zhao indicates that he no longer wishes to pursue injunctive and declaratory relief against Settle and that Settle does not oppose this motion.

Accordingly, it is **ORDERED** that the remaining cause of action against defendant Settle is hereby **DISMISSED with prejudice**. This case is hereby **DISMISSED with prejudice** and **STRICKEN** from the active docket of the court.

It is so **ORDERED**.

Entered: This 29th day of July, 2019

/s/ Michael F. Urbanski

Michael F. Urbanski
Chief United States District Judge